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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION

13 MARION FRANKS,

14 Plaintiff,

15 v.

16 COMMISSIONER OF SOCIAL SECURITY,

17 Defendant.
18
19

Civil No. 2:23-cv-02736-DMC

**STIPULATION AND ORDER TO EXTEND
BRIEFING SCHEDULE**

1 The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security
2 (the "Commissioner"), shall have an extension of 30 days to respond to Plaintiff's Motion for Summary
3 Judgment in this case. In support of this request, the Commissioner respectfully states as follows:

4 1. The Commissioner's response to Plaintiff's Motion for Summary Judgment is due March
5 22, 2024. This is Defendant's first request for an extension of this deadline.

6 2. Counsel for the Commissioner is in the process of consulting with his client on the
7 defensibility of this matter. Counsel for the Commissioner believes that this short extension may resolve
8 this matter without necessitating this Court to address the merits of this matter. Moreover, this brief
9 extension would conserve judicial time and resources should the Parties be able to resolve this matter.

10 3. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that she
11 has no objections.

12 4. This request is made in good faith and is not intended to unnecessarily delay the
13 proceedings in this matter.

14 WHEREFORE, Defendant requests until April 21, 2024, respond to Plaintiff's Motion for
15 Summary Judgment, with all other deadlines extended accordingly.

16
17 Date: March 22, 2024

LAW OFFICES OF FRANCESCO BENAVIDES

18 By: /s/ Caspar Chan for Francesco Benavides *

19 FRANCESCO BENAVIDES

20 *Authorized by email on March 22, 2024

Attorneys for Plaintiff

21 Date: March 22, 2024

PHILIP A. TALBERT

22 United States Attorney

23 Eastern District of California

24 By: /s/ Caspar Chan

CASPAR CHAN

25 Special Assistant United States Attorney

26 Attorneys for Defendant
27
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ORDER

APPROVED AND SO ORDERED

Dated: March 22, 2024

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA
UNITED STATES MAGISTRATE JUDGE